Court Minutes

September 27, 2010

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Blease, Associate Justice; Sims, Associate Justice; Raye, Associate Justice; and Horner, bailiff.

C062286 THE PEOPLE v. DEXTER JAMES GRANT, JR.

Cause called. Barry Morris argued for appellant. Jennifer M. Poe, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:53 a.m., the court recessed. At 9:54 a.m., the court reconvened.

C063066 CREWS v. CITY OF WILLOWS et al.

Cause called. Paul Nicholas Boylan argued for appellant. Leonard G. Krup argued for respondents. Cause submitted.

At 10:27 a.m., the court recessed. At 10:32 a.m., the court reconvened with Sims, Associate Justice; Raye, Associate Justice; and Butz, Associate Justice.

C062312 JONES v. OPFER

Cause called. Jason A. Ewing argued for appellant. Martin L. Seeger argued for respondent. Cause submitted.

At 11:03 a.m., the court recessed until 9:30 a.m., Monday, October 18, 2010.

C061979 THE PEOPLE v.

RALPH WILLIAM PEREZ

(Not For Publication)

The matter is remanded to the San Joaquin County Superior Court with directions to amend its records, if necessary, to show that defendant has been awarded the conduct credits to which he is entitled as described in this opinion. In all other respects, the judgment is affirmed.

BLEASE, J.

We Concur: Scotland, P.J.

Nicholson, J.

C064452 THE PEOPLE v.

(Not For Publication)

ANTHONY CHRISTOPHER JONES, II

The judgment is affirmed.

BLEASE, J.

We Concur: Scotland, P.J.

Nicholson, J.

Court Minutes

September 27, 2010, Continued

C058895 In re J.A.; THE PEOPLE v. J.A.

(Not For Publication)

THE COURT:

It is ordered that the opinion filed in this case on September 2, 2010, be modified...

This modification does not change the judgment.

FOR THE COURT:

SCOTLAND, P.J.

Blease, J.

C058895 In re J.A.; THE PEOPLE v. J.A.

BY THE COURT:

Respondent's request to publish the opinion filed on September 2, 2010, is denied.

BLEASE, Acting P.J.

September 28, 2010

C060024 THE PEOPLE v.

(Not For Publication)

RAMON EDDIE MENDEZ

The judgment is affirmed.

SIMS, J.

We Concur: Scotland, P.J.

Raye, J.

C060746 THE PEOPLE v. JORGE PADILLA RUIZ

(Not For Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

Nicholson, J.

C061880 THE PEOPLE v.

(Not For Publication)

CODY ANGUS BAKER

The judgment is modified... As modified, the judgment is affirmed. ...

RAYE, J.

We Concur: Sims, Acting P.J.

Nicholson, J.

Court Minutes

September 28, 2010, Continued

C063392 THE PEOPLE v.

(Not For Publication)

KEMAYU KEDEEM SANDERS

The judgment is modified... As modified, the judgment is affirmed. ...

BUTZ, J.

We Concur: Blease, Acting P.J.

Nicholson, J.

C064495 THE PEOPLE v.

(Not For Publication)

DOUGLAS ANTHONY ANDREWS

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Butz. J.

Mauro, J.

C062281 CORONA et al. v. STULL

(Not For Publication)

The judgment is reversed as to the award of attorney fees. Stull shall recover his costs on appeal. (Cal. Rules of Court, rule 8.278 (a)(1) & (a)(2).)

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Butz, J.

C062024 In i

In re J.A. et al.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND HUMAN

SERVICES v. C.R.

The judgment (order denying section 388 petition) is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Nicholson, Acting P.J.

Raye, J.

C057070

ASCENT BUILDERS, INC. v. DIAMOND CREEK PARTNERS, LTD.

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

C059758

NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT v. HOWARD JARVIS TAXPAYERS ASSOCIATION et al.

BY THE COURT:

Respondent's petition for rehearing is denied.

BLEASE, Acting P.J.

Court Minutes

September 28, 2010, Continued

C061972 BROWN et al. v. SHASTA UNION HIGH SCHOOL DISTRICT et al.

BY THE COURT:

Lee Chamberlain's request to publish the opinion filed on September 2, 2010, is denied.

BLEASE, Acting P.J.

C061972 BROWN et al. v. SHASTA UNION HIGH SCHOOL DISTRICT et al.

BY THE COURT:

Respondents' request to publish the opinion filed on September 2, 2010, is denied.

BLEASE, Acting P.J.

C062554 DOE v. LINCOLN UNIFIED SCHOOL DISTRICT et al.

BY THE COURT:

Appellants' petition for rehearing is denied.

RAYE, Acting P.J.

C062923 PHARMACY ADVANTAGE, INC. v. A & C HEALTH CARE SERVICES, INC.,

et al.

BY THE COURT:

Appellant's request to publish the opinion filed on August 31, 2010, is

denied.

BLEASE, Acting P.J.

September 29, 2010

C060272 THE PEOPLE v. (Not For Publication)

ANGELO DAVID MACIAS

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Butz, J.

C063802 THE PEOPLE v. BRIAN ESPITIA (Not For Publication)

The judgment is affirmed.

MAURO, J.

We Concur: Nicholson, Acting P.J.

Butz, J.

Court Minutes

September 29, 2010, Continued

C064256 THE PEOPLE v.

(Not For Publication)

MARCO CHARLES YOKUM

The trial court is directed to prepare a corrected abstract of judgment, reflecting the award of 223 days of presentence custody credit, and to forward a certified copy of the corrected abstract of judgment to the department of Corrections and Rehabilitation. The judgment is affirmed.

BUTZ, J.

We Concur: Nicholson, Acting P.J.

Mauro, J.

C064934 THE PEOPLE v.

(Not For Publication)

EDDIE ALBERT SAVALA

The trial court is directed to prepare and forward to the Department of Corrections and Rehabilitation a corrected abstract of judgment that includes defendant's presentence custody credits totaling 306 days as set forth above. The judgment is affirmed.

BUTZ, J.

We Concur: Nicholson, Acting P.J.

Mauro, J.

C064737 In re JACK W.; THE PEOPLE v.

(Not For Publication)

JACK W.

The judgment is affirmed.

BUTZ, J.

We Concur: Nicholson, Acting P.J.

Mauro, J.

September 30, 2010

C061721 THE PEOPLE v.

(Not For Publication)

SETH GABRIEL BENNETT

The order for attorney fees is stricken. In all other respects, the judgment is affirmed.

NICHOLSON, J.

We Concur: Blease, Acting P.J.

Butz, J.

Court Minutes

September 30, 2010, Continued

C063515 THE PEOPLE v.

(Not For Publication)

JOHN EDWARD GAVIN

The matter is remanded with directions to the trial court to separately list, with the statutory basis, all fines, fees and assessments for each offense and to prepare a corrected abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed.

NICHOLSON, J.

We Concur: Sims, Acting P.J.

Raye, J.

C064450 THE PEOPLE v. ROGER PINEDA

(Not For Publication)

The judgment is affirmed.

NICHOLSON, J.

We Concur: Butz, J. Mauro, J.

C064755 THE PEOPLE v.

(Not For Publication)

CLEMENS LEE KRAMER

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Butz, J.

Mauro, J.

C064865 THE PEOPLE v.

(Not For Publication)

JACINTO JOSE JIMENEZ

The judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.

Mauro. J.

C065075 THE PEOPLE v.

(Not For Publication)

RAUL LACERDA LAFITA

The trial court is ordered to correct the abstract of judgment to reflect defendant's correct name, Raul Lacerda Lafita, and to forward the corrected abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Butz, J.

Mauro, J.

Court Minutes

September 30, 2010, Continued

C057964 PALMER v. BNSF RAILWAY COMPANY (Not For Publication)

The judgment is reversed. Defendant is awarded his costs on appeal.

(Not For Publication)

(Cal. Rules of Court, rule 8.278 (a).)

HULL, J.

We Concur: Scotland, P.J.

Robie, J.

C064574 THE PEOPLE v.

DUSTIN LEE MIZE

The judgment is affirmed.

MAURO, J.

We Concur: Nicholson, Acting P.J.

Butz. J.

October 1, 2010

THE HONORABLE ARTHUR G. SCOTLAND, Retired Presiding Justice of the Court of Appeal, Third Appellate District, is hereby assigned to assist the Court of Appeal, Third Appellate District, as Presiding Justice thereof, on the following date(s):

October 1, 2010 To January 31, 2011

or until such time as a Presiding Justice for the Third Appellate District is appointed.

Dated: October 1, 2010

THE HONORABLE ARTHUR G. SCOTLAND, Retired Presiding Justice of the Court of Appeal, Third Appellate District, is hereby assigned to assist the Court of Appeal, Third Appellate District, as an Associate Justice thereof, on the following date(s):

October 1, 2010 To January 31, 2011

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: October 1, 2010

Court Minutes

October 1, 2010, Continued

C063412 THE PEOPLE v.

(Not For Publication)

RONALD DEE ANDERSON

Finding no abuse of discretion, we affirm the denial of probation. However, the judgment is modified to award defendant 136 days' conduct credit for a total of 273 days' presentence judgment to reflect this modification and to forward a certified copy of the same to the Department of Corrections and Rehabilitation.

HULL, Acting P.J.

We Concur: Robie, J.

Butz, J.

C064797 THE PEOPLE v.

(Not For Publication)

(Not For Publication)

JOSHUA ANDREW CORDOVA

The judgment is affirmed.

MAURO, J.

We Concur: Nicholson, Acting P.J.

Butz, J.

C063508 In re M.M. et al.; SACRAMENTO

COUNTY DEPARTMENT OF HEALTH

AND HUMAN SERVICES v. C.D.

The judgment of disposition is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Nicholson, Acting P.J.

Robie, J.

C064088 In re J.S. et al.; SACRAMENTO COUNTY

(Not For Publication)

DEPARTMENT OF HEALTH AND HUMAN

SERVICES v. C.S. et al.

The judgment of the juvenile court is affirmed.

MAURO, J.

We Concur: Nicholson, Acting P.J.

Butz, J.